

Chairperson Michael Beckendorf  
Vice-Chairperson Leo Gonzalez



Commissioners  
Pete Bienski  
Bobby Gutierrez  
Nancy Hardeman  
Scott Hickle  
G.H. Jones  
Kevin Krolczyk  
Prentiss Madison

## MINUTES

**BRYAN PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
THURSDAY, AUGUST 1, 2013 – 6:00 P.M.  
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING  
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer:     *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription*

### **1. CALL TO ORDER.**

Vice-Chairperson Gonzalez called the meeting to order at 6:01 pm.

<b>Commissioners</b>	<b>Present</b>	<b>2013 Regular Meetings Held</b>	<b>2013 Regular Meetings Attended</b>	<b>Regular Meetings Held During Last 6 Months</b>	<b>Regular Meetings Attended During Last 6 Months</b>
Michael Beckendorf	No	13	11	13	11
Pete Bienski	Yes	13	12	13	12
Leo Gonzalez	Yes	13	11	13	11
Bobby Gutierrez	Yes	13	12	13	12
Nancy Hardeman	Yes	13	11	13	11
Scott Hickle	Yes	13	12	13	12
G. H. Jones	Yes	13	13	13	13
Kevin Krolczyk	Yes	13	11	13	11
Prentiss Madison	Yes	13	10	13	10

Staff Members Present: Mr. Martin Zimmermann, Planning Administrator, Mr. Randy Haynes, Project Planner, Ms. Janis Hampton, City Attorney, Ms. Maggie Dalton, Staff Planner, and Ms. Charmaine McKinzie, Development Services Representative.

### **2. HEAR CITIZENS.**

No one came forward.

**3. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.**

No affidavits were filed.

**4. CONSENT AGENDA**

**a. Approval of minutes from the workshop and regular meetings on July 18, 2013.**

Commissioner Jones moved to approve the Consent Agenda. Commissioner Hickle seconded the motion and the motion passed unanimously.

**5. REQUESTS FOR APPROVAL OF CONDITIONAL USE PERMITS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed to City Council).**

**a. Conditional Use Permit CU13-07: Arsenal Tattoo**

*A request for approval of a Conditional Use Permit to allow a tattoo studio on property in the Downtown - South (DT-S) zoning district, specifically on property located at 307 West 26<sup>th</sup> Street at the southeast corner of West 26<sup>th</sup> Street and Sims Avenue, occupying Lots 3 thru 5 and part of an abandoned alley in Block 139 of the Bryan Original Townsite in Bryan, Brazos County, Texas. (R. Haynes)*

Mr. Haynes presented the staff report (on file in the Development Services Department). Staff recommends approving the request subject to conditions relating to hours of operation, the type of services allowed, the prohibition of smoking supplies, and off-street parking, signage, and fencing.

In response to a question, Mr. Haynes stated that there had been feedback from Ms. Sharon Anderson and the letter had been distributed to the Commission.

In response to a question, Mr. Haynes stated that the business would not be allowed to operate on Mondays or Sundays.

The public hearing was opened.

Ms. Sharon Anderson, 2304 Cindy Lane, stated that the proposed conditions are important for this case. She suggested no tattooing until after 2:30pm on Sundays, that tattooing not be visible from the street, and that available tattoos not be displayed where easily viewed from the windows.

Mr. Cliff Collard, 110 Marsh Street, College Station, Applicant, stated that the tattooing stations would be located at the rear of the business and would not be visible from the street. He stated that the business would close at the designated time and not accept new customers; however it was possible that some customers would stay after hours to have pieces finished.

The public hearing was closed.

**Commissioner Madison moved to approve Conditional Use Permit CU13-07, subject to the following conditions:**

- **That business hours shall be Tuesdays through Saturdays from Noon until 9p.m. only.**
- **That no body piercing or other form of body modification (e.g., branding, scarring or implanting) shall be offered or performed.**
- **That the sale of smoking supplies and smoking paraphernalia shall be prohibited.**
- **That off-street parking areas, privacy fencing, and freestanding signage be installed in accordance with the site plan.**

**and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Jones seconded the motion.**

Commissioners discussed:

- future tattoo artist at this location
- viewing areas from the right-of-way
- whether an additional condition regarding tattoo viewing was necessary
- sales of alcohol at the studio

**Commissioner Hardeman moved to amend the motion to include the following condition:**

- **That the tattooing of patrons shall not be visible from public view from Sims Avenue and West 26<sup>th</sup> Street.**

**Commissioner Gonzalez seconded the motion and the amendment passed with a unanimous vote.**

**The amended motion passed with a unanimous vote.**

**6. REQUESTS FOR APPROVAL OF ZONING CHANGES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).**

**a. Rezoning RZ13-10: Cari Rice**

*A request to change the zoning classification from Agricultural - Open District (A-O) to Commercial District (C-3) on 9.51 acres of land out of Maria Kegans League adjoining the northeast side of State Highway 30, approximately midway between Elmo Weedon and Hardy Weedon Roads and currently addressed as 10253 State Highway 30 in Bryan, Brazos County, Texas. (M. Dalton)*

Ms. Dalton presented the staff report (on file in the Development Services Department). Staff recommends recommending approval of the proposed rezoning.

In response to a question, Ms. Dalton stated that there had been feedback from one neighbor asking about the proposed use of the property.

The public hearing was opened.

Ms. Cari Rice, 1901 Rockwood, Bryan, Texas, applicant, spoke in favor of the request, stating that they were planning to move Rockies Nightclub from its current location in Post Oak Mall to State Highway 30.

The public hearing was closed.

**Commissioner Hardeman moved to recommend approval of Rezoning RZ13-10 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Gutierrez seconded the motion. The motion passed unanimously.**

## **7. ADJOURN.**

Without objection, Chairperson Beckendorf adjourned the meeting at 6:28 pm.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the **15<sup>th</sup> day of August, 2013.**

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Michael Beckendorf, Chairperson  
Planning and Zoning Commission  
City of Bryan, Texas

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Martin Zimmermann, AICP  
Planning Administrator and Secretary to the  
Planning and Zoning Commission